



## UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 7  
11201 RENNER BOULEVARD  
LENEXA, KS 66219

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OFFICE OF  
THE REGIONAL ADMINISTRATOR

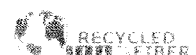
Mr. Doug Clemens  
10518 Boylston Drive  
St. Ann, Missouri 63074

Dear Mr. Clemens:

The U.S. Environmental Protection Agency Region 7 has received Resolutions 2014-1 and 2014-2 submitted by the West Lake Community Advisory Group. We are directing our responses to you as the Chair of the West Lake CAG.

As background for my responses to these resolutions, I would emphasize again that the available scientific data indicates that people living near and working outside the boundaries of the West Lake Landfill Superfund site (Site) are not currently being exposed to contaminants released from the Site that are above levels of concern. The EPA's ASPECT overflight of the Site and nearby residential and commercial/industrial properties in 2013 detected no off-Site excess gamma emissions in surface soil anywhere off-Site, and only on-Site in one small area of the Operable Unit 1 Area 2 as previously identified in the Remedial Investigation. Off-Site groundwater sampling by the USGS and the EPA of privately-owned wells to the northwest and southwest of the site in 2013 revealed no radionuclide exceedences of drinking water standards, and to our knowledge there is no use of private wells in the area for drinking water. The Missouri Department of Natural Resources conducted soil sampling in 2005 along St. Charles Rock Road, Boenker Road and Taussig Road just outside Site boundaries and did not detect uranium, thorium, or radium above the cleanup standards established for the FUSRAP sites. In addition, the EPA's 2014 Bridgeton Municipal Athletic Complex sampling found no exceedences for uranium, thorium, or radium.

In addition, while I understand the public's concern about the movement of the subsurface smoldering event, at this time the EPA does not believe that the data collected thus far substantiates a conclusion that the SSE is moving toward the radiologically-impacted material. Even if the SSE came into contact with the RIM, based on the EPA's understanding of the type of RIM and its distribution in OU-1, we do not believe it would become reactive or explosive at temperatures typically observed in an SSE. An SSE in OU-1, regardless of whether or not it comes into contact with RIM, would be expected to change the conditions within the landfill, and likely increase the rate at which landfill gases are released. We would anticipate an increase in release of gases from the landfill through surface cracks or fissures that may form. These gasses could be released as steam, radon and potentially other gases (as determined by the composition of the non-RIM materials present). From what we know of the constituents of OU-1, particularly the RIM, we don't expect any of the gases released to contain RIM material.



We do expect radon to be released, as this is a breakdown product of the RIM in OU-1 and it is a naturally occurring gas from geological formations in our area. We know about the natural occurrence of radon based on data collected by the USGS. Based upon the EPA's understanding of SSEs, the release of any gases would be localized, and not occur over the entire Site. Should substantially different SSE behavior warrant additional actions, construction of a proper cap over the landfill would help reduce both short and long term risks to human health associated with any increased release of radon. The EPA is working with the MDNR to collect additional information on temperatures, gases and subsidence that can be used to develop a better picture of trends and hence of movement of the SSE within the landfill and quarries.

In the interim, the EPA is currently evaluating the construction of an isolation barrier that will serve as a preventative measure to address the threat of an SSE coming into contact with the RIM. Decisions regarding the construction and location of an isolation barrier will be made in consideration of all response actions being evaluated for the West Lake Site to ensure that this interim action is complementary to the remedial action that will ultimately be performed. As such, any issues related to the SSE and isolation barrier that may impact the integrity of the remedial action taken at the Site will be evaluated by the EPA.

#### **Response to Resolution 2014-1**

The CAG's first resolution requested that the EPA "provide a clinic to test and monitor residents and workers for illnesses resulting from potential exposure to ionizing radiation and illnesses related to airborne toxins emanating from the current subsurface smoldering event." CERCLA provides certain authorities related to medical testing to the Agency for Toxic Substances and Disease Registry, an independent, non-regulatory federal agency responsible for evaluating public health concerns. However, these authorities can only be exercised under specific conditions as set forth in the law, specifically public health emergencies. The conditions that would allow use of CERCLA authorities for medical testing have not been met since a public health emergency has not been identified.

The EPA has conducted an extensive review of the scientific data collected from air, soil, ground and surface water sampling at the Site. The available scientific data for the Site indicates that people living near and working outside the boundaries of the Site are not currently being exposed to Site contaminants above levels of public health concern. The EPA routinely coordinates with state and federal public health agencies to ensure that public health is protected at superfund sites. We are committed to continuous monitoring of the site for the protection of human health. Should new data warrant, we would reevaluate these decisions.

The ATSDR works in coordination with the EPA to ensure that public health is protected at superfund sites. The ATSDR is currently evaluating potential exposures, based on data provided to date by the EPA, and will publicly release their findings and conclusions in a health consultation. In addition, the Missouri Department of Health and Senior Services, is evaluating ambient air data collected from the Bridgeton Landfill to evaluate acute and chronic exposures to landfill emissions. Additional information about the ATSDR can be obtained from their website: <http://www.cdc.atsdr.gov>. We have notified the ATSDR Region 7 about the CAG's resolution and will continue to coordinate with the ATSDR regarding appropriate public health decisions at the Site. Community health concerns can continue to be directed to ATSDR Region 7. LT Erin Harman is the Regional Representative for ATSDR.

#### **Response to Resolution 2014-2**

The CAG's second resolution requested relocation and property assurance for certain residents around the Site. The statutory definition of "remedial action" in CERCLA includes the costs of permanent

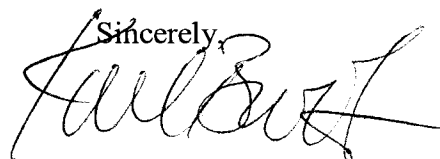
relocation of residents and businesses and community facilities under certain circumstances. The National Contingency Plan also includes a reference to temporary or permanent relocation of residents, businesses, and community facilities as a possible method of remedying releases when the agency determines that it is necessary to protect human health and the environment. Because permanent relocation is considered a remedial activity, from a legal perspective the EPA would typically consider and select it only pursuant to the remedy evaluation process set forth in CERCLA and the NCP.

The EPA on occasion has exercised this relocation authority at certain sites. In the history of the Superfund program, the EPA has implemented permanent relocations of businesses or residences at only 33 of the more than 1,600 final and deleted sites on the National Priorities List. Of those 33, the majority were for engineering solutions necessary to implement the cleanup remedy.

At the vast majority of Superfund sites, the EPA's remedial actions address site risks so as to enable site neighbors to remain safely in their homes and businesses, making permanent relocation unnecessary. The EPA has issued guidance and other informational materials about relocation and the Superfund program (<http://www.epa.gov/superfund/community/relocation/>). Our guidance clearly states that while relocation authority is provided for by CERCLA, the preference to keep people and businesses in place during a cleanup is consistent with Superfund statutory and regulatory requirements. In the rare instances where permanent relocation does occur, the primary reasons for doing so are to address an immediate risk to human health (where an engineering solution is not readily available) or where site structures (i.e., homes and businesses) are an impediment to implementing a protective cleanup.

Region 7's response actions to date at the Site make temporary or permanent relocation inconsistent with agency authority and practice as well as with the scientific evidence. Region 7 continues to study, select, and implement a necessary remedial action. The agency's assessment of current and future risks to individuals on-Site is detailed in various technical documents that support the 2008 Record of Decision and our current evaluation of the remedy. As stated above, the primary reasons for including permanent relocation as part of a CERCLA remedial action would be to address an immediate risk to human health, or where site structures are an impediment to implementing a protective cleanup. While the EPA continues to diligently work to evaluate the 2008 Record of Decision and any necessary interim response actions to address the risks posed by the Site, at this time Region 7 does not believe Site data warrants consideration of permanent relocation. This agency will continue to evaluate all data related to the Site, and consider all appropriate remedial alternatives as required by CERCLA.

I trust that this information is helpful to the CAG. As we discussed on the phone today, I'm pleased that Terrie Boguski will take a more active role in future CAG meetings as it's our assessment this will improve communication and community understanding of what is happening at the Site. We are committed to keeping the community informed and will do so by communicating with a broad range of stakeholders. Thank you for your continued service to your community.

Sincerely,  


Karl Brooks